

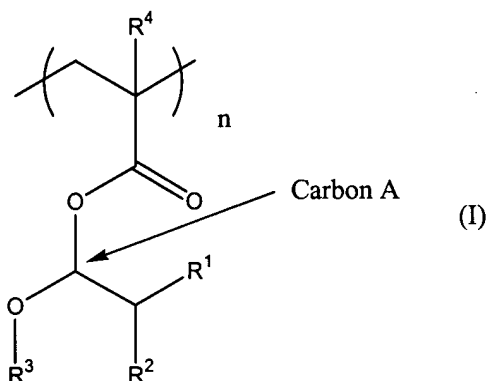
b.) Remarks

Claims 1-5 have been amended only for better idiomatic usage and/or better conformity with accepted U.S. practice. Accordingly, no new matter has been added.

Claims 1-5 are rejected under 35 U.S.C. §102(b) as anticipated by Meador et al. (U.S. Patent No. 6,156,479) or Meador et al. (U.S. Patent No. 5,919,599). Claims 1-5 are also rejected as being anticipated by Ushirogouchi et al. (U.S. Patent No. 5,928,841) or Ushirogouchi et al. (U.S. Patent No. 6,168,897)<sup>1</sup>.

This rejection is respectfully traversed. Prior to setting forth their bases for traversal, however, Applicants would briefly like to discuss the salient features of the present invention and *inter alia* its patentable nature over the prior art.

As the Examiner is well-aware, Carbon A in formula (I) of the present invention is branched with -OR<sup>3</sup>.



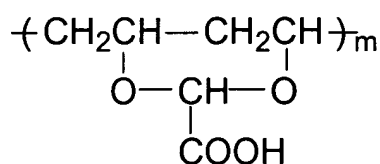
In support of the rejection, the Examiner contends the formulae in Meador Figure 1 anticipate claim 1 when R<sup>1</sup> and R<sup>2</sup> form an aromatic ring and R<sup>4</sup> is methyl.

<sup>1</sup> At the outset, Applicants note both Meador patents utilize the same specification, and both Ushirogouchi patents utilize the same specification. Accordingly, only one "Meador" rejection will be addressed herein and only one "Ushirogouchi" rejection will be addressed herein.

On the other hand, the corresponding carbons in Meador Figure 1 (labeled Carbon B, Carbon C, and Carbon D for the Examiner's convenience in attached Tab A) are not branched. Carbon B, Carbon C and Carbon D are all straight chain.

Accordingly, it is clear that Applicants' formula (I) simply does not encompass any compounds of Meador.

As to Ushirogouchi, the Examiner points to structure (3) at column 7 when R<sub>7</sub> is a carboxylic group. Similarly, here too, however, these structures are also very dissimilar. The Examiner's rejection is therefore based on the structure



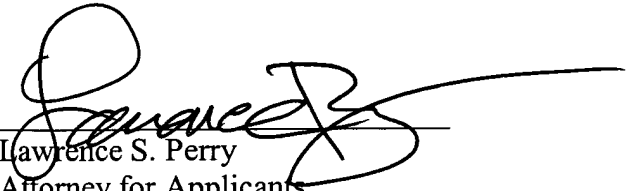
It is simply not understood at all how Applicants' formula I can possibly encompass this compound. Accordingly, if this rejection is maintained, clarification is respectfully requested in the next Patent Office communication.

In view of the above amendments and remarks, Applicants submit that all of the Examiner's concerns are now overcome and the claims are now in allowable condition. Accordingly, reconsideration and allowance of this application is earnestly solicited.

Claims 1-5 remain presented for continued prosecution.

Applicants' undersigned attorney may be reached in our New York office by telephone at (212) 218-2100. All correspondence should continue to be directed to our below listed address.

Respectfully submitted,



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